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The Honorable Joseph A. Marutollo
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Via CM/ECF

Re: *Mirkin, et al. v. XOOM Energy, LLC, et al.*; No. 1:18-cv-02949-ARR-JAM

Dear Judge Marutollo:

XOOM writes pursuant to Your Honor's Individual Practice IV to renew the parties' joint request for a brief adjournment of the April 26 deadline for the Joint Pretrial Order (excluding motions in limine) until May 17 to allow sufficient time for needed information exchanges and conferral. *See* ECF 187.

XOOM appreciates the Court's quick attention to the disputed portion of the parties' letter addressing Plaintiff's request to amend and supplement her experts' opinions. *See id.*; Apr. 2 Text Order. We now seek the Court's input on the agreed portion of that letter too, which requested a short three-week extension of the Joint Pretrial Order deadline until May 17. *See* ECF 187. The parties agree that, based on the amount of work needed to be accomplished and prior commitments of counsel, a three-week extension of the deadline for the Joint Pretrial Order (excluding motions in limine) is appropriate. The parties have an agreed schedule by which they will exchange the information and briefing needed to submit the Joint Pretrial Order by that date. *See* Ex. A. Motions in limine are excluded only because Plaintiff's pending request to amend and supplement her experts' opinions and report (and XOOM's opposition thereto), *see id.*, means that briefing on motions in limine would be premature at this time.

The Court's February 9, 2024, Text Order set the deadline for the Joint Pretrial Order for April 26. XOOM respectfully requests that the Court grant the parties' joint request to extend the Joint Pretrial Order deadline (excluding motions in limine) to May 17.

Respectfully Submitted,

/s/ Michael D. Matthews, Jr.

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